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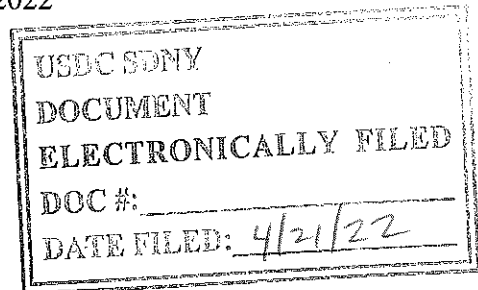
JOSHUA L. DRATEL
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FATOUMATA MAGASSA
Paralegal

April 21, 2022

BY ECF

The Honorable Richard M. Berman
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007



Re: United States v. Rafael Hernandez,
S1 16 Cr. 500 (RMB)

Dear Judge Berman:

This letter is submitted on behalf of defendant Rafael Hernandez, whom I represent in the above-entitled matter by Criminal Justice Act appointment, to request that the Court modify the terms of Mr. Hernandez's supervised release for the limited purpose of enabling him to travel by car with his immediate family to the Middle District of Pennsylvania, departing April 28, 2022, and returning April 30, 2022, in order to vacation with his family for his daughter's birthday at Camelback Resort and Indoor Waterpark. Although Mr. Hernandez will pass through other judicial districts en route to the Middle District of Pennsylvania and from the District of Connecticut, where he resides, he does not intend to stay for any period of time in any of those other districts.

My partner, Lindsay A. Lewis, Esq., has addressed Mr. Hernandez's modification request with both U.S. Probation Officer Michael Jones, who supervises Mr. Hernandez in the District of Connecticut, which is the official district of supervision, and U.S. Probation Officer Larren Riley who continues to oversee Mr. Hernandez's case for the Southern District of New York but no longer supervises Mr. Hernandez (due to the transfer of his case to the District of Connecticut), and has provided them both with the details and dates of Mr. Hernandez's travel. Ms. Lewis was told by PO Riley that his Office categorically opposes all requests for travel when an individual is on location monitoring as a matter of policy, and thus he could not consent to such a request on that basis in that it requires Court approval.

PO Jones, who supervises Mr. Hernandez for the District of Connecticut, informed Ms.

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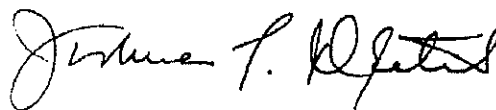
Lewis that he and his Office have no objection to Mr. Hernandez's request to modify the conditions of his supervised release to permit him to travel to the Middle District of Pennsylvania with his family.

Ms. Lewis has also been informed by Assistant United States Attorney Alexander Rossmiller that the government does not object to this modification in that only a temporary waiver for purposes of travel is sought.

For context, as the Court is aware (and noted during the most recent conference), Mr. Hernandez recently traveled with his family by car to the Middle District of Florida pursuant to a similar modification and his trip was completed without incident. He remained fully compliant with the terms set by the Court throughout.

Accordingly, it is respectfully requested that the Court modify the terms of Mr. Hernandez's supervised release to permit him to travel to the Middle District of Pennsylvania with his family from April 28, 2022, to April 30, 2022. As stated previously, both the government and the Probation Office for the District of Connecticut, who officially supervises Mr. Hernandez, do not object to this request. The Probation Office for the Southern District of New York opposes Mr. Hernandez's request as a matter of policy and requires Court approval.

Respectfully submitted,



Joshua L. Dratel

JLD/lal

cc: Alexander Rossmiller
David Abramowicz
Assistant United States Attorneys

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| <u>Application granted.</u> | |
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| SO ORDERED: Date: <u>4/21/22</u> | <u>Richard M. Berman</u> Richard M. Berman, U.S.D.J. |